

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ICU MEDICAL, INC.,

Plaintiff/Counter-Defendant,

vs.

RYMED TECHNOLOGIES, INC.,

Defendant/Counter-Plaintiff.

C.A. No. 07-468-JJF

**DEFENDANT RYMED TECHNOLOGIES, INC.'S  
MOTION FOR REARGUMENT OF  
MEMORANDUM ORDER DENYING MOTION TO TRANSFER VENUE**

Pursuant to Delaware Local Rule 7.1.5, Defendant RyMed Technologies, Inc. (“RyMed”) moves this Court for reargument of the Memorandum Order (D.I. 24) denying RyMed’s motion to transfer venue to the Central District of California. The grounds for this motion are set forth in RyMed’s Memorandum in Support of Motion for Reargument of Memorandum Order Denying Motion to Transfer Venue.

February 6, 2008

BAYARD, P.A.

OF COUNSEL:

/s/ Richard D. Kirk (rk0922)

Henry C. Bunsow, Esq.

Richard D. Kirk (rk0922)

K.T. Cherian, Esq.

Stephen B. Brauerman (sb4952)

Scott Wales, Esq.

222 Delaware Avenue, Suite 900

HOWREY LLP

Wilmington, Delaware 19899-5130

525 Market Street, Suite 3600

rkirk@bayardfirm.com

San Francisco, California 94105

(302) 655-5000

(415) 848-4900

Counsel for Defendant

RYMED TECHNOLOGIES

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ICU MEDICAL, INC.,

Plaintiff/Counter-Defendant,

vs.

RYMED TECHNOLOGIES, INC.,

Defendant/Counter-Plaintiff.

C.A. No. 07-468-JJF

**CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 7.1.1**

Pursuant to Local Rule 7.1.1, counsel for Defendant RyMed Technologies, Inc. (“RyMed”) certifies that counsel for RyMed discussed the matters set forth in the within Motion for Reargument of Memorandum Order Denying Motion to Transfer Venue with counsel for Plaintiff ICU Medical, Inc. (“ICU”) on January 31, 2008 by telephone. Counsel for ICU informed counsel for RyMed that ICU will not consent to the within motion.

February 6, 2008

BAYARD, P.A.

/s/ Richard D. Kirk (rk0922)

Richard D. Kirk (rk0922)

Stephen B. Brauerman (sb4952)

222 Delaware Avenue, Suite 900

Wilmington, Delaware 19899-5130

rkirk@bayardfirm.com

(302) 655-5000

OF COUNSEL:

Henry C. Bunsow, Esq.

K.T. Cherian, Esq.

Scott Wales, Esq.

HOWREY LLP

525 Market Street, Suite 3600

San Francisco, California 94105

(415) 848-4900

Counsel for Defendant

RYMED TECHNOLOGIES, INC.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ICU MEDICAL, INC.,

Plaintiff/Counter-Defendant,

vs.

RYMED TECHNOLOGIES, INC.,

Defendant/Counter-Plaintiff.

C.A. No. 07-468-JJF

**[PROPOSED] ORDER**

Defendant RyMed Technologies, Inc. (“RyMed”) having moved pursuant to Local Rule 7.1.5 for reargument of the Court’s Memorandum Order Denying Motion to Transfer Venue (D.I. 24), and the Court finding that the Motion should be granted, therefore said motion is hereby, GRANTED; and

FURTHER ORDERED that RyMed’s motion to transfer venue to the Central District of California is hereby GRANTED.

This \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned counsel certifies that, on February 6, 2008, he electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

Richard L. Horwitz, Esquire  
Kenneth L. Dorsney, Esquire  
Potter, Anderson & Corroon, LLP  
1313 N. Market Street, 6<sup>th</sup> Floor  
Wilmington, Delaware 19899

The undersigned counsel further certifies that, on February 6, 2008, copies of the foregoing document were sent by email and hand to the above local counsel and by email and first class mail to the following non-registered participant:

James Pooley, Esquire  
Marc Peters, Esquire  
Kimberly Van Voorhis, Esquire  
Morrison & Foerster, LLP  
755 Page Mill Road  
Palo Alto, CA 94304

/s/ Richard D. Kirk (rk0922)  
Richard D. Kirk